SOAH DOCKET NO. 582-20-1895 TCEO DOCKET NO. 2019-1156-IWD

APPLICATION OF	§	BEFORE THE STATE OFFICE
PORT OF CORPUS CHRISTI	§	
AUTHORITY OF NUECES	§	
COUNTY FOR TEXAS	§	OF
POLLUTANT DISCHARGE	§	
ELIMINATION SYSTEM	§	4 D 3 M 3 M 6 M 7 M 7 M 7 M 7 M 7 M 7 M 7 M 7 M 7
PERMIT NO. WO0005253000	8	ADMINISTRATIVE HEARINGS

EXECUTIVE DIRECTOR'S REQUEST FOR CLARIFICATION

To: Port of Corpus Christi Authority of Nueces County:

The Executive Director requests clarification on the documents submitted. Specifically:

- 1. Please confirm the depth of the channel at the proposed location of the diffuser. According to the Memo from Lial Tischler dated June 24, 2021, (Memo) the channel depth is approximately 90 feet at the proposed discharge location. However, in the bathymetry map included with the Memo, the depth appears to be closer to 65 feet at the revised discharge location.
- 2. Please confirm the x and y dimensions for the Human Health Mixing Zone (HHMZ). On page 5 of the Memo the HHMZ is defined as x = 145.5 m; y=321 m, however elsewhere in the Memo the HHMZ is defined as x = 321; y = 145.5.

Additionally, please confirm that the change in the location of the diffuser does not add any new affected landowners.3

The Executive Director's staff cannot complete their review of the revised information without clarification of these issues, please respond at your earliest convenience so that staff can complete their review by July 26, 2021.

¹ Memo from Lial Tischler to Sara Garza, June 24, 2021.

² See Memo, Table 4, Appendix Example CORMIX Prediction Files - Critical Conditions. ³ See S-Application 000217, S-Application 00248, and S-Application 000232-000240.

Respectfully submitted,

Texas Commission on Environmental Quality

Toby Baker, Executive Director

Robert Martinez, Deputy Director Environmental Law Division

Kathy Humphreys

Staff Attorney

Environmental Law Division

State Bar of Texas No. 24006911

MC-173, P.O. Box 13087

Austin, Texas 78711-3087

Phone: (512) 239-3417 Fax: (512) 239-0626

Bolly Sold

Bobby Salehi, Staff Attorney Environmental Law Division State Bar No. 24103912 P.O. Box 13087, MC 173 Austin, Texas 78711-3087 Phone (512) 239-5930

Phone (512) 239-5930 Fax: (512) 239-0606

Harrison Cole Malley, Staff Attorney

Environmental Law Division

State Bar No. 24116710

P.O. Box 13087, MC 173

Austin, Texas 78711-3087

(512) 239-1439 (phone) (512) 239-0606 (fax)

REPRESENTING THE

EXECUTIVE DIRECTOR OF THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

CERTIFICATE OF SERVICE

I hereby certify that on July 14, 2021, the "Executive Director's Request for Clarification" was served electronically, and by either first class mail or hand delivered to the parties on the attached service list.

Kathy & Must 67

Kathy Humphreys, Staff Attorney TCEQ's Environmental Law Division State Bar of Texas No. 24006911

SERVICE LIST – SOAH DOCKET NO. 582-20-1895

TCEQ Public Interest Counsel

Sheldon P. Wayne - sheldon.wayne@tceq.texas.gov

TCEQ Office of the Chief Clerk- for filings only

Laurie Gharis: (via e-Filings): https://www14.tceq.texas.gov/epic/eFiling/

Port of Corpus Christi

- 1. Ernest Wotring, Attorney ewotring@bakerwotring.com
- 2. Debra Baker, Attorney dbaker@bakerwotring.com
- 3. John Muir, Attorney jmuir@bakerworting.com
- 4. Amanda Guerrero aguerrero@bakerworting.com

City of Port Aransas

- 1. Emily Rogers erogers@bickerstaff.com
- 2. Bill Dugat, III bdugat@bickerstaff.com

Port Aransas Conservancy

- 1. Kirk D. Rasmussen krasmussen@jw.com
- 2. Benjamin Rhem brhem@jw.com
- 3. Craig R. Bennett cbennett@jw.com

Port Aransas Conservancy and Mary Anderson Abell, Jack Guenther, Sr., Jack Guenther, Jr., Valerie Guenther, Bill Johnson, Kathy Mays Johnson, James Harrison King, Tammy King, Edward Steves, Nancy Steves, Sam Steves, Sarah Steves

- 1. Richard Lowerre rl@lf-lawfirm.com
- 2. David Frederick dof@lf-lawfirm.com
- 3. John Bedecarre johnb@txenvirolaw.com

Audubon Texas

1. Scott Moorhead - scott.moorhead@audubon.org

Individual Protestants

- 1. Phillip Bartlett pvb@srcaccess.net
- 2. Stacey Bartlett ssbartlett1129@gmail.com
- 3. Margo Branscomb mbranscomb@gmail.com
- 4. Cara Denney <u>- cara@ibilky.com</u>
- 5. Aldo Dyer <u>aldo.dyer@gmail.com</u>
- 6. Barney Farley bc13farley@gmail.com
- 7. Mark Grosse markgrosse1972@gmail.com

- 8. Jo Krueger <u>jkrueger22@gmail.com</u>
- 9. Cameron Pratt <u>- campratt@gmail.com</u>
- 10. Sarah Searight $\underline{sarahsearight@me.com}$
- 11. Susan Simpson NO EMAIL
- 12. Lisa Turcotte <u>lisaturcotte55@gmail.com</u>

No Email Available

1. Susan Simpson 413 Trojan St., Unit 4 Port Aransas, TX 78373-5431